

THE MAINE HUMAN RIGHTS COMMISSION: WHAT IS IT?

The Maine Human Rights Commission is the state agency charged with the responsibility of enforcing Maine's anti-discrimination laws. We receive and investigate complaints of unlawful discrimination in employment, housing, education, access to public accommodations, and extension of credit. We attempt to resolve those complaints to the mutual satisfaction of all who are involved. We will pursue a remedy in court when alternative solutions have failed.

DISCRIMINATION DEFINED:

1. **Overt Discrimination** – an intentional, purposeful act of discrimination;
2. **Unequal or Disparate Treatment** – treating members of a protected class in a different and less favorable manner than members of the similarly situated majority group. Proof of discriminatory motive is required.
3. **Disparate Impact** – conduct which, although applied equally to all, has an adverse effect on members of a protected class as compared to the effect on members of the majority class. Intent or motive is of no consequence.

Not all discrimination is unlawful. The Maine Human Rights Act makes it unlawful to discriminate in the following areas for the following reasons:

EMPLOYMENT: on the basis of race, color, sex, physical or mental disability, genetic predisposition, religion, age, ancestry or national origin. Also, because of filing a claim or asserting a right under the Worker's Comp Act, or retaliation under the Whistleblower's Act.

HOUSING: on the basis of race, color, sex, physical or mental disability, familial status, religion, ancestry, national origin, or status as a recipient of federal, state, or local public assistance.

EDUCATION: on the basis of sex, physical or mental disability, national origin, or race.

ACCESS TO PUBLIC ACCOMMODATIONS: on the basis of race, color, sex, physical or mental disability, religion, ancestry or national origin, (lodging because of children).

CREDIT TRANSACTIONS: solely on the basis of age, race, color, sex, marital status, religion, ancestry or national origin.

IMPARTIALITY: Maine Human Rights Commission investigators collect information in a neutral fashion. The Commission bases its decisions on facts and evidence. If the Commission finds reasonable grounds to believe that unlawful discrimination has occurred, it then represents the person who filed the complaint in efforts to informally settle the matter and, if necessary, in Superior Court at no cost to the complainant.

RETALIATION: The Maine Human Rights Act prohibits retaliation against any individual who has opposed any practice which would be a violation of the Act, or because the individual has made a charge, testified or assisted in any manner in any investigation, proceeding or hearing under the Act.

SETTLEMENT: The Maine Human Rights Act urges informal settlement of all complaints filed.

MAINE= HUMAN RIGHTS COMMISSION

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WHAT IT IS!
HOW IT WORKS!